

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28862 of 2020

Arising Out of PS. Case No.-203 Year-2019 Thana- PUPRI District- Sitamarhi

Rakesh Ram (male) , aged about – 25 years, son of Sheetal Ram, Resident of village - Temhua, P.S. Pupri, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh

For the Opposite Party/s : Mr. Ram Naresh Roy

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 11-12-2020 Heard Mr. Pushpendra Kumar Singh , learned counsel for the petitioner and Mr. Ram Naresh Roy, learned Additional Public Prosecutor appearing for the State through video conferencing.

Petitioner apprehends his arrest in connection with Pupri P.S. Case No. 203 of 2019 registered for the offence punishable under Section 363 / 366 / 34 of the IPC.

The allegation as per the First Information Report is that the daughter- in- law of the informant had gone to attend the call of nature on 11.05.2019 and did not return and upon search the informant came to know that petitioner along with other accused persons have kidnapped the daughter- in- law of the informant .

Learned counsel for the petitioner submits that



petitioner has falsely been implicated in this case due to village politics. Learned counsel submits that from perusal of the First Information Report it would be evident that the daughter-in-law of the informant had gone missing on 11.05.2019 and the FIR has been lodged after a delay of eleven days on 22.05.2019. Learned counsel referring to Annexure 2 to this bail application which is the statement of the victim recorded under Section 164 of the Cr.P.C. submits that petitioner along with other accused persons had kept the victim in their house and the co-accused was pressurizing the victim to marry her and they kept the victim along with them for three days. Learned counsel further submits that similarly situated accused person Mukesh Kumar has been granted bail by a co-ordinate Bench of this court in Cr. Misc. No. 80844 of 2019.

Having regard to the submissions made by the parties and taking into consideration the material available on record and the fact that similarly situated accused has been granted bail by this court, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, in the event of arrest or surrender before the court below within six weeks from today, petitioner, above named, shall be released on anticipatory bail on furnishing bail



bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Pupri, Sitamarhi in connection with Pupri P.S. Case No. 203 of 2019, subject to the condition as laid down under Section 438 (2) of the Code Of Criminal Procedure.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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